

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

IN RE: TAASERA LICENSING LLC,
PATENT LITIGATION

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Case No. 2:22-MD-03042-JRG

JURY TRIAL DEMANDED

THIS DOCUMENT RELATES TO ALL
ACTIONS

JOINT MOTION FOR ENTRY OF PARTIALLY OPPOSED DISCOVERY ORDER

Pursuant to this Court’s Third Amended Docket Control Order dated January 5, 2023 (Dkt. 84), the Parties comprising Taasera Licensing LLC (“Taasera”), Quest Patent Research Corporation (“QPRC”), Palo Alto Networks Inc. (“Palo Alto Networks”), Check Point Software Technologies, Ltd. (“Check Point”), Trend Micro Incorporated (“Trend Micro Japan”), Trend Micro, Inc. (“Trend Micro US”), CrowdStrike, Inc. and CrowdStrike Holdings, Inc. (collectively, “CrowdStrike”), Fortinet, Inc. (“Fortinet”), and Musarubra US LLC d/b/a Trellix (“Trellix”) (collectively, “Defendants”) hereby submit a partially opposed Proposed Discovery Order, attached as Exhibit 1. The disputes are indicated in [**bolded and bracketed language**] and explained below.

1) Dispute 1: Discovery Order Sections 5(a)(ii) and 5(c)(iii-iv)

Palo Alto Networks’ position: Palo Alto Networks seeks to serve an additional 10 jurisdictional interrogatories on Taasera and QPRC collectively and take an additional 7 hours of jurisdictional deposition. Taasera and QPRC filed motions to dismiss on jurisdictional grounds. *See* Dkt. Nos. 11 and 14. Palo Alto Networks’ opposition identified several publicly available facts that establish jurisdiction. *See* Dkt. Nos. 17 and 18. To further aid this Court and the parties, Palo Alto Networks respectfully requests ten additional interrogatories and 7 additional deposition

hours, all targeted to jurisdictional issues, consistent with this Court's practice of routinely granting such targeted discovery. *See, e.g., Digital Broadcasting Solutions, LLC v. Dish Network L.L.C.*, 2:22-cv-00335-JRG, Dkt. 41 at p. 15 (E.D. Tex. Jan. 19, 2023) ("the Court is persuaded that the parties and the Court would benefit from targeted venue discovery in this case"); *Blitzsafe Texas LLC v. Mitsubishi Electric Corp.*, 2:17-cv-00430-JRG, 2019 WL 2210686, at *3 (E.D. Tex. May 22, 2019) (Gilstrap, J.) ("jurisdictional discovery should typically be granted unless 'no amount of information ... would strengthen' the movant's jurisdictional claims") (quoting *Wyatt v. Kaplan*, 686 F.2d 276, 284 (5th Cir. 1982)).

Taasera and QPRC's Position: Palo Alto Networks proposes that it should receive 10 interrogatories and 7 deposition hours solely directed to jurisdictional discovery in addition to all other parties' interrogatory and deposition limits. Ex. 2, ¶¶ 5(a)(ii), 5(c)(iii-iv). No jurisdictional discovery has been granted to any party in this case. PAN is entitled to use its 25 interrogatories and its 42 deposition hours for any issue relevant to the claims or defenses in this action, and additional interrogatories and deposition hours are unnecessary. Further, jurisdictional issues will be decided when the Court rules on Taasera's and QPRC's motions to dismiss. Taasera thus proposes that PAN receive the same interrogatory and deposition limits as all other parties and, in the event jurisdictional discovery is granted, take up the issue of whether additional discovery limits are appropriate at that time.

Dated: February 3, 2023

Respectfully submitted,

/s/ Alfred R. Fabricant

Alfred R. Fabricant

NY Bar No. 2219392

Email: ffabricant@fabricantllp.com

Peter Lambrianakos

NY Bar No. 2894392

Email: plambrianakos@fabricantllp.com

Vincent J. Rubino, III

NY Bar No. 4557435
Email: vrubino@fabricantllp.com
Joseph M. Mercadante
NY Bar No. 4784930
Email: jmercadante@fabricantllp.com
FABRICANT LLP
411 Theodore Fremd Avenue,
Suite 206 South
Rye, New York 10580
Telephone: (212) 257-5797
Facsimile: (212) 257-5796

Justin Kurt Truelove
Texas Bar No. 24013653
Email: kurt@truelovelawfirm.com
TRUELOVE LAW FIRM, PLLC
100 West Houston Street
Marshall, Texas 75670
Telephone: (903) 938-8321
Facsimile: (903) 215-8510

Samuel F. Baxter
Texas State Bar No. 01938000
Email: sbaxter@mckoolsmith.com
Jennifer L. Truelove
Texas State Bar No. 24012906
Email: jtruelove@mckoolsmith.com
MCKOOL SMITH, P.C.
104 E. Houston Street, Suite 300
Marshall, Texas 75670
Telephone: (903) 923-9000
Facsimile: (903) 923-9099

***ATTORNEYS FOR TAASERA LICENSING LLC
and QUEST PATENT RESEARCH
CORPORATION***

/s/ Michael R. Rueckheim (with permission)
Kelly C. Hunsaker
Email: KHunsaker@winston.com
Michael R. Rueckheim
(Texas State Bar No. 24081129)
Email: MRueckheim@winston.com
Eimeric Reig-Plessis
Email: EReigPlessis@winston.com

WINSTON & STRAWN LLP

255 Shoreline Drive, Suite 520
Redwood City, CA 94065
Telephone: (650) 858-6500
Facsimile: (650) 858-6550

Krishnan Padmanabhan

Email: KPadmanabhan@winston.com

WINSTON & STRAWN LLP

200 Park Avenue
New York, NY 10166-4193
Telephone: (212) 294-6700
Facsimile: (212) 294-4700

Melissa R. Smith

(Texas State Bar No. 24001351)

Email: melissa@gillamsmithlaw.com

GILLAM & SMITH, LLP

303 S. Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

***ATTORNEYS FOR PALO ALTO NETWORKS,
INC.***

/s/ Eric H. Findlay (with permission)

Eric H. Findlay

Email: efindlay@findlaycraft.com

State Bar No. 00789886

Debby E. Gunter

Email: dgunter@findlaycraft.Com

State Bar No. 24012752

FINDLAY CRAFT, P.C.

102 North College Avenue, Suite 900
Tyler, Texas 75702
Telephone: (903) 534-1100
Facsimile: (903)-534-1137

Clement S. Roberts

Email. croberts@orrick.com

CA State Bar No. 209203

ORRICK, HERRINGTON & SUTCLIFFE LLP

405 Howard Street
San Francisco, CA 94105

Telephone: (415) 773-5700
Facsimile: (415) 773-5759

Alyssa Caridis
Email: acaridis@orrick.com
Jake O'Neal (Admitted *Pro Hac Vice*)
Email: jake.oneal@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
777 South Figueroa Street, Suite 3200
Los Angeles, CA 90017-5855
Telephone: (213) 612-2372
Facsimile: (213) 612-2499

Evan Brewer (Admitted *Pro Hac Vice*)
Email: ebrewer@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
100 Marsh Road
Menlo Park, CA 94025
Telephone: (650) 614-7497
Facsimile: (650) 614-7401

***ATTORNEYS FOR CHECK POINT SOFTWARE
TECHNOLOGIES LTD.***

/s/ Holly Engelmann (with permission)
Melissa R. Smith
State Bar No. 07921800
Email: melissa@gillamsmithlaw.com
GILLAM & SMITH, LLP
303 S. Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

Holly Engelmann
State Bar No. 24040865
Email: HEngelmann@duanemorris.com
DUANE MORRIS LLP
100 Crescent Court, Suite 1200
Dallas, Texas 75201
Telephone: (214) 257-7200
Fax: (214) 257-7201

***ATTORNEYS FOR TREND MICRO
INCORPORATED AND TREND MICRO, INC.***

/s/ Irene Yang (with permission)

Irene Yang
Email: irene.yang@sidley.com
SIDLEY AUSTIN LLP
555 California Street, Suite 2000
San Francisco, CA 94104
Telephone: (415) 772-1200
Facsimile: (415) 772-7400

J. Stephen Ravel
State Bar No. 16584975
Email: steve.ravel@khh.com
Kelly Ransom
State Bar No. 24109427
Email: Kelly.ransom@kellyhart.com
KELLY HART & HALLMAN LLP
303 Colorado Street, Suite 2000
Austin, Texas 75201
Telephone: (512) 495-6429
Facsimile: (512) 495-6401

G. Blake Thompson
State Bar No. 24042033
Blake@TheMannFirm.com
J. Mark Mann
State Bar No. 12926150
Mark@TheMannFirm.com
MANN | TINDEL | THOMPSON
201 E. Howard St.
Henderson, Texas 75654
Telephone: (903) 657-8540
Facsimile: (903) 657-6003

***ATTORNEYS FOR CROWDSTRIKE, INC. and
CROWDSTRIKE HOLDINGS, INC.***

/s/ Alice Snedeker (with permission)

Melissa R. Smith
State Bar No. 07921800
Email: melissa@gillamsmithlaw.com
GILLAM & SMITH, LLP
303 S. Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

Alice Snedeker
DUANE MORRIS LLP
1075 Peachtree St NE, Suite 1700
Atlanta, Georgia 30309
Telephone: (404) 253-6989

Holly Engelmann
State Bar No. 24040865
Email: HEngelmann@duanemorris.com
DUANE MORRIS LLP
100 Crescent Court, Suite 1200
Dallas, Texas 75201
Telephone: (214) 257-7200
Fax: (214) 257-7201

ATTORNEYS FOR FORTINET INC.

/s/ Nathaniel St. Clair, II (with permission)
Nathaniel St. Clair, II
State Bar No. 24071564
Email: nstclair@jw.com
JACKSON WALKER LLP
2323 Ross Avenue, Suite 600
Dallas, Texas 75201
Telephone: (214) 953-5948
Facsimile: (214) 661-6848

***ATTORNEY FOR MUSARUBRA US LLC, d/b/a
TRELLIX***

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on February 3, 2023, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Alfred R. Fabricant

Alfred R. Fabricant

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel of record have met and conferred in accordance with Local Rule CV-7(h) and are at an impasse concerning the Discovery Order and need the Court's intervention.

/s/ Alfred R. Fabricant

Alfred R. Fabricant